



## **Austin City Council MINUTES**

**APRIL 11, 1991**

### **MEETING CALLED TO ORDER - 1:00 P.M.**

Mayor Cooke called to order the meeting of the Council, noting the presence of all members. Councilmember Epstein left the meeting at 5:30 P.M. and Councilmember Barnstone left the meeting at 6:30 P.M.

1. Approved Minutes for Regular Meeting of April 4, 1991 and Special Meeting of April 2, 1991.

On Councilmember Epstein's motion, Councilmember Larson's second, 6-0 Vote, Councilmember Carl-Mitchell out of the room.

### **1:00 P.M. - CITIZEN COMMUNICATIONS**

2. Ms. Virginia Raymond discussed AIDS funding.
3. Mr. Hank Sinatra discussed street musicians.
4. Mr. David Elliott discussed City issues.
5. Mr. Richard Trachtenburg, to discuss current City issues, was not present.
6. Ms. Laurie Eiserloh discussed HIV funding.
7. Mr. Thom Prentice discussed the City Manager, the agenda, and the language of deceit.
8. Ms. Barbara Beal discussed Special Transit Service.

### **1:30 P.M. - APPOINTMENTS**

9. The City Council made the following board and commission appointments:

#### **AIRPORT ADVISORY BOARD -**

**Ms. Kathy Patman**

**AUSTIN COMMUNITY EDUCATION CONSORTIUM -**

Austin Chamber of Commerce  
Austin Neighborhoods Council  
Parks and Recreation Dept. Board  
United South Austin  
Janet Palmer

**BUILDING STANDARDS BOARD -**

Dr. F. Ethelynn Beebe  
Ms. Linda Cole  
Mr. James Reed  
Mr. Larry A. Richardson

**CHILD CARE COUNCIL -**

Mr. Len Doughty  
Ms. Pat Ford  
Ms. Joene Grisson  
Ms. Clare Hudspeth  
Mrs. Susan Johnson  
Ms. Ronya Kozmetsky  
Ms. Rhonda Paver  
Ms. Linda Ruiz  
Mrs. Jeanette Watson

**COMMUNITY DEVELOPMENT COMMISSION -**

Mr. Don Leverty  
Ms. Esperanza Palacios  
Mr. Ronald Vasey

**CONSTRUCTION ADVISORY COMMITTEE -**

Mr. Bill Clawson  
Mr. James Hamilton  
Mr. Gale Van Hoy  
Mr. Jim Yauger

**DESIGN COMMISSION -**

Mr. David West

**ECONOMIC DEVELOPMENT COMMISSION -**

Mrs. Anntonette Boswell  
Mr. Jonathan Conant  
Mr. Richard Huffman  
Ms. Glenda Lane  
Mr. John McKinnerney  
Mr. Randy Meeks

**ELECTRICAL BOARD -**

Mr. Gary Grimes  
Mr. Russell Neal  
Mr. Leland Williams

**EMS QUALITY ASSURANCE TEAM -**

Dr. Tim Faulkenberry  
Mr. Michael Levy  
Dr. Donald Patrick  
Mr. Robert Walker

**ENVIRONMENTAL BOARD -**

Mr. George Avery  
Mrs. Therese Baer  
Mr. Tim Jones  
Mr. Craig Smith

**HISTORIC LANDMARK COMMISSION -**

Mr. Steven Yanigasawa

**MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES -**

Mr. Vincent Bland  
Mr. Michael Brockway  
Mr. Jerry Reed  
Mr. Wayne Spahn

**MECHANICAL, PLUMBING AND SOLAR BOARD -**

Mr. Thomas Combs  
Mr. Morris Keyte  
Mr. Karl Peck

**MINORITY AND WOMEN OWNED BUSINESS PROCUREMENT ADVISORY COMMITTEE -**

**Mr. James Gonzalez  
Mr. Carmelo Macias  
Ms. Michelle Pye  
Ms. Maricela Rodriguez-Barr**

**RENAISSANCE MARKET COMMISSION -**

**Ms. Judy Danielson  
Mr. Robert Edgecomb  
Ms. Janis Morgan  
Ms. Morna Seiders**

**RESOURCE MANAGEMENT COMMISSION -**

**Ms. Heather Ball  
Dr. Glenn Crow  
Mr. Max Woodfin**

**SOLICITATION BOARD -**

**Mr. Llewellyn Fambles  
Ms. Pamela Villeford**

**SOLID WASTE ADVISORY COMMISSION -**

**Ms. Katherine Coley  
Ms. Barbara Nagel  
Dr. John Shervell**

**WATER AND WASTEWATER COMMISSION -**

**Mr. Lee Flores**

**Council unanimously agreed to consider further appointments to boards and commissions on May 9, 1991.**

**30. BOARD AND COMMISSION REPORT - Cable Commission Report on Access television**

**Report was heard by Council.**

**ITEMS CONTINUED FROM PREVIOUS MEETINGS**

- 10. C14-91-0013 - STEPHEN WHATLEY, by Bruce Jackson, 8600-8610 MoPac Expresseway, from SP-3 to LR; Alternate Recommendation: Tract 1: LR-C0, Tract 2: L0-C0.**

Planning Commission Recommendation: To deny LR-CO for Tract 1 and LO-CO for Tract 2. (Public Hearing conducted on April 4, 1991 - No Citizen Sign-Up)

**FIRST READING ONLY**

**Motion**

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Nofziger to grant LO-CO on the entire tract with five conditions: (1) No access to Camillia Lane; (2) 40' natural buffer on west side of tract; (3) 25' natural buffer on north side adjacent to single family owned property; (4) No building within 50' of "SF-3" property on both west and north sides; (5) Limit building height to 35'.

**Substitute Motion**

Councilmember Larson offered a substitute motion, seconded by Councilmember Barnstone, to approve staff recommendation of LR-CO with a 50' buffer as it pertains to the building set-back, 40' vegetative buffer on the west side, 25' vegetative buffer on the north side and a 40' building height. Motion passed by a vote of 4-3 with Councilmembers Carl-Mitchell, Epstein and Nofziger voting No.

**ORDINANCES**

11. Approved amending the Austin City Code by modifying the Basic Traffic Ordinance, Chapter 11-2; Article V., Stopping, Standing and Parking; Division 1.
  - a. To clarify Section 11-2-120 Passenger zones by adding "and at No Time shall the vehicle be unattended" to better facilitate enforcement of the existing zones.
  - b. To provide for flexibility in Section 11-2-123 Commercial Service Zones. This process will allow the Traffic Engineer to address needs of special groups much as the East 6th Street musicians were addressed by Council.
  - c. To clarify Section 11-2-124 U.S. Government Passenger and Loading Zones by providing for more flexible hours and expanding the versatility to include the U.S. Marshal and U.S. Court Official Zones that are existent on the street at this time.

(On Councilmember Carl-Mitchell's motion, Councilmember Larson's second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Barnstone out of the room.

**Harris Branch Municipal Utility District (MUD) (Items 12-13)**

12. Approved the annexation of approximately 3.6 acres into the Austin (Harris Branch) MUD No. 1. (No fiscal impact).

On Councilmember Larson's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

13. Approved Austin Municipal Utility District No. 2's (Harris Branch) request to issue District Bonds in the amount of \$1,900,000 to finance water distribution, wastewater collections and storm drainage facilities.

On Councilmember Larson's motion, Mayor Pro Tem Urdy's second, 5-1-1 Vote, Councilmember Epstein voted No, Councilmember Barnstone abstained.

#### RESOLUTIONS

14. Approved a construction contract award to MCLEAN CONSTRUCTION INC., Killeen, Texas, for the FM 1826-US 290 Transmission Main, in the amount of \$772,338.60. (Funding included in C.I.P. No. 388-227-0774 - Water and Wastewater Fund). Low bid of eight (8). 2.83% MBE, 3.6% WBE Subcontractor participation.
15. Approved a construction contract award to CAPITAL EXCAVATION COMPANY, Austin, Texas, for a Transportation Systems Management (TSM) Project to improve the intersection at Burnet Road and Anderson Lane, in the amount of \$187,977.50. (Funding in the amount of \$187,977.50 provided from C.I.P. No. 825-607-2026 - Transportation System Management Funds and \$900 provided from C.I.P. No. 388-227-0838 - Water Funds). Low bid of four (4). 11.6% MBE, 5.71% WBE Subcontractor participation.

#14-15 on Mayor Pro Tem Urdy's motion, Councilmember Larson's second, 7-0 Vote.

16. Approved issuance of a Letter of Intent to fund a rebate in the amount of \$139,917.76 to Motorola Inc., for the installation of energy efficient equipment. (Funding provided from Brown & Root Conservation Funds).
17. Approve issuance of a Letter of Intent to fund a rebate in the amount of \$103,536.90 to the IBM Corporation, for the installation of energy efficient centrifugal chillers and the construction of energy efficient building wall systems. (Funding provided from Brown & Root Conservation Funds).

#16-17 on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-1 Vote, Councilmember Barnstone voted No.

18. DECLINED issuance of a Letter of Intent to fund a rebate in the amount of \$27,857.76 to Sandalwood Properties, for the installation of energy saving measures. (Funding provided from Brown & Root Funds).

On Councilmember Barnstone's motion, Councilmember Larson's second, 4-3 Vote, Mayor Pro Tem Urdy, Councilmember Carl-Mitchell and Nofziger voted No.

19. Approved issuance of a Letter of Intent to fund a rebate in the amount of \$22,123.81 to Balcor Property Management, for the installation of energy saving measures. (Funding provided from Brown & Root Conservation Funds).

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-1 Vote, Councilmember Barnstone voted No.

20. Approved an agreement between the City of Austin and Chevy Chase South, Ltd. regarding delinquent taxes on Chevy Chase South, Phase 6 Subdivision (amount not to exceed \$195,000 to be paid to Lawyer's Title, and Escrow Agent/Title Company for the payment of overdue taxes).

On Mayor Pro Tem Urdy's motion, Councilmember Larson's second, 7-0 Vote.

**4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES**

**ZONING DISTRICTS**

21. C14-90-0033 - FIRST SERVICE CORPORATION, by Summit Investments, 2416-2712 Gracy Farms Lane, from RR, LO to MF-3, RR. Planning Commission Recommendation: To grant MF-3-CO & RR.

**FIRST READING**

To be heard by Planning Commission on April 9, 1991; Recommendation to follow:

22. C14-91-0021 - BANK ONE TEXAS, NA, by Small, Craig & Werkenthin, 12114-12213 North F.M. 620, from LR to GR.

**FIRST READING**

#21-22 on Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Epstein out of the room.

23. C14-88-0103 - EAST 11TH STREET NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD), by East 11th Street Village Association, Inc., bounded by East 12th Street, Juniper Street, south of Huckberry Street, south of East 8th Street, west of San Marcos Street, and south of East 11th Street, east of Navasota Street, south of Rosewood Street and west of Angelina Street, and I.E. 35, from SF-3, SF-3-H, MF-3, LO, GO-CO, LR, CS, CS-H, CS-1-H, CS-1-CO, to SF-3-NCCD, SF-3-H-NCCD, MF-3-NCCD, LO-NCCD, LR-NCCD, CS-NCCD, CS-H-NCCD, CS-1-H-NCCD, CS-1-CO-NCCD.

Closed public hearing and directed the City Manager to direct staff to post for action at the beginning of the meeting on April 18, 1991, after the 1:30 P.M. board and commission reports. On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmembers Barnstone and Epstein absent at this point.

**PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS**

24. 4:30 P.M. - Continuance of public hearing to levy Assessments for Braker Lane.

Continued to May 23, 1991 at 4:30 p.m.

25. 5:00 P.M. - Approve an Ordinance amending Ordinance No. 870219-0 by deleting or amending expertise requirement for minority or women owned businesses. (Mayor Pro Tem Charles Urdy)

Closed public hearing, on Mayor Pro Tem Urdy's motion, Councilmember Nofziger's second, 4-0 Vote, Councilmembers Barnstone and Epstein absent, Councilmember Carl-Mitchell out of the room.

**ITEMS FROM COUNCIL**

26. Approve a Resolution requesting Austin Cablevision to activate two additional access channels. (Councilmember Michael "Max" Nofziger)

Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, FAILED, by vote of 3-4, Mayor Cooke, Councilmembers Barnstone, Epstein and Larson voted No.

27. Direct the City Manager not to open Palm Pool for the 1991 swimming season. (Councilmember Bob Larson)

Postponed to April 18, 1991.

28. Discussion of designation of a portion of land in the Town Lake Corridor adjacent to the American Legion Post as a memorial for Texas patriots. Discussion of ideas for development and direction to the City manager to explore options for Patriot Point. (Councilmember Bob Larson)

Council directed the City Manager to direct staff to enter into discussion to designate this as Patriot Point.

29. Adopted a Resolution that outlines the procedures to be used to resolve the future of Austin's Aviation Facilities. (Councilmember Louise Epstein)  
On Councilmember Epstein's motion, Mayor Cooke's second, 5-2 Vote, Mayor Pro Tem Urdy, Councilmember Carl-Mitchell voted No.

**ADJOURN**

Council adjourned its meeting at 8:05 P.M.